

DOCKET NO. MER-8271-PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: TIMM HERMAN
Serial No.: 10/578,079
Filed: MAY 3, 2006
For: VISCOUS MATERIAL DISPENSER PISTON
Art Unit: 3754
Examiner: Unknown

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed foreign patent document and other publication is enclosed. No U.S. Patents nor any published U.S. Patent Applications are enclosed.

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) _____ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) _____ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) _____ Within 3 months of the filing date or date of entry into the National Stage.
- (b) X Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 20-0090 for consideration of this Statement.

(c)____ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1)____ The required certification is given below, or

(2)____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3)____ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 20-0090.

(d)____ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1)____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2)____ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 20-0090.

4. Certification (if applicable)

(a) X The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b)____ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-0090.

Respectfully Submitted,

Date:

Oct. 8, 2008

By:

John A. Yirga
Reg. No. 56,480

CUSTOMER NUMBER: 26,294

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